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* **IN THE HIGH COURT OF DELHI AT NEW DELHI**

+ **CO.PET. 536/1998**

M/S INDIAN TONERS & DEVELOPERS LTD..... Petitioner

Through

versus

M/S SAVITRI INDIA LTD.

..... Respondent

Through Mr.Sudhanshu Sikka, Adv.for ARCIL

Ms.Chetali Jain, Adv. for applicant in CA

2046/2014

Ms.Ruchi Sindhwani, Standing Counsel for OL

CORAM:

HON'BLE MR. JUSTICE JAYANT NATH

ORDER

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01.03.2018

CA 1124/2017

Learned counsel for the non-applicant to file a reply within four weeks from today.

List on 10.5.2018.

CA 2046/2014

By this application the OL seeks a direction to Smt.Kusum Lata Damani and Shri Kanti Bhai Damani to pay Rs.12 crores belonging to the respondent company in liquidation. Pleadings are complete.

This application raises contentious questions of fact, namely, as to whether the above noted persons, namely, Smt.Kusum Lata Damani and Shri Kanti Bhai Damani owe a sum of Rs.12 crores to the respondent company. The allegation of the OL is that the said couple was acting as the sale agents of the respondent company and has held this amount from the dues of the respondent company.



In my opinion, it would be appropriate that the parties lead evidence in this case.

List this application on 10.5.2018 for framing of issues. Mr.Kanti Bhai Damani is present in court in person. He need not appear on the next date of hearing.

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Learned counsel for the OL today submits that they had tried to contact some of the persons who had inspected the property at Darya Ganj and they had agreed to appear in court for open bidding. She requests that for this limited purpose, the matter maybe kept for next Thursday.

The matter be also listed on 08.03.2018.

JAYANT NATH, J

MARCH 01, 2018

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